

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

WILLIE WILSON, *et al*,

Plaintiffs,

v.

Case No. 22-4577

CITY OF CHICAGO BOARD OF ELECTION
COMMISSIONERS, *et al*,

Respondent.

**MOTION SEEKING LEAVE TO EXCEED PAGE LIMITS TO FILE DEFENDANTS'
MEMORANDUM OF LAW IN SUPPORT OF THEIR MOTION TO DISMISS INSTANTER**

Defendants, City of Chicago Board of Election Commissioners, Marisel Hernandez, Williams Kresse and June Brown (collectively, “Defendants”), by and through their attorneys, Charles LeMoine, Rosa M. Tumialán, and Andrew O’Donnell with Tressler LLP, moves this Honorable Court for entry of an order granting leave to the Defendants to exceed the page limits contained in Local Rule 7.1 as to Defendants’ Memorandum of Law in Support of their Motion to Dismiss Plaintiffs’ Verified Complaint. In support of the present motion, Defendants state as follows:

1. On August 29, 2022, Plaintiffs filed a twenty-nine page, four-count Complaint, alleging Defendants violated the Voting Rights Act, and the First and Fourteenth Amendment. *See generally* Compl., ECF No. 1.

2. In Plaintiffs prayer for relief, they seek a preliminary injunction, and a declaratory order prohibiting the Chicago Board of Election Commissioners (“CBEC”) from enforcing the consolidation of precincts and polling locations at the upcoming November 8, 2022 election. *Compl.* ¶¶ 65, 71, 75-76.

3. Because this matter revolves around constitutional questions of CBEC authority under the Election Code, this case raises several legal issues that are incapable of being fully digested in fifteen pages or less.

4. In particular, a thorough consideration of Defendants' defenses in this case would include:

- a. A review and application of whether Plaintiffs allege a particularized injury necessary to establish standing;
- b. A review and application of whether this case is moot for want of a justiciable controversy that can be redressed by meaningful relief;
- c. A review and application of whether this Court lacks subject matter jurisdiction given that Plaintiffs requested relief, is to rewrite the Election Code;
- d. Whether Plaintiffs plead any facts entitling them to a preliminary injunction, including: (1) irreparable harm; (2) likelihood of success under the Voting Rights Act, and First and Fourteenth Amendment; and (3) the balance of harm of to the Defendants and public interest.

5. Given the complexity of the legal issues, and the significance of this Court's decision on the upcoming November 8, 2022 election, Defendants believe that cause exists for this Court to grant the Defendants leave to exceed the page limit for its Memorandum of Law in Support of their Motion to Dismiss.

6. Specifically, Defendants respectfully request that this Court enter an order granting Defendants permission to file their 21-page Memorandum of Law in Support of their Motion to Dismiss.

WHEREFORE, Defendants respectfully requests that this Court enter an order granting Defendants Motion for Leave to Exceed Page Limits and enter an order granting Defendants permission to file their 21-page Memorandum of Law *instanter* and provide for any further relief this Court finds reasonable and just.

Date: October 31, 2022

Respectfully submitted,

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By: /s/ Andrew O'Donnell

CERTIFICATE OF SERVICE

The undersigned certifies that on October 31, 2022, he electronically filed the foregoing document with the Clerk of the Court for the Northern District of Illinois by using the CM/ECF system. All participants in the case are registered CM/ECF users who will be served by the CM/ECF system.

/s/ Andrew O'Donnell